

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Typed or Printed Name Martha Cisneros

Signature

Date

August 17, 2001

**RESPONSE TO
MISSING PARTS**

Address to:
Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Attorney Docket

GUID012CON

Confirmation Number

5237

First Named Inventor

Lawrence W. Hu

Application Number

09/900,503

Filing Date

July 6, 2001

Group Art Unit

3732

Examiner Name

Unassigned

Title: "SURGICAL RETRACTOR PLATFORM BLADE
APPARATUS"

Sir:

This communication is responsive to the Notice to File Missing Parts of Application dated August 8, 2001.

On July 6, 2001, a Patent Application was filed which contained the following documents (copies of which are enclosed):

- 1) A Transmittal authorizing the charge of the filing fee (\$710.00 as a large entity); and
- 2) Copy of Postcard regarding filing of application on July 6, 2001

Since the time of filing we have received a Notice to File Missing Parts of Application stating that the basic filing (\$710.00 as a large entity) is missing and we owe a late filing fee/surcharge of \$110.00. We believe this Notice to File Missing Parts was erroneously issued since the application was filed with authorization to charge the filing fee to our Deposit Account. Therefore, Applicants request the Notice to File Missing Parts be rescinded and the basic filing fee of \$710.00 be charged to our Deposit Account.

If the Commissioner feels there are additional fees due, he is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date:

August 17, 2001

By:

Alan W. Cannon

Alan W. Cannon

Registration No. 34,977

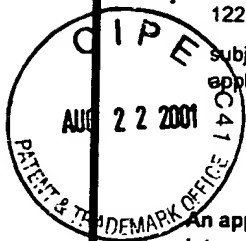
BOZICEVIC, FIELD & FRANCIS LLP
200 Middlefield Road, Suite 200
Menlo Park, CA 94025
Telephone: (650) 327-3400
Facsimile: (650) 327-3231
F:\FORMS\Missing Parts- Erroneously Issued.wpd



Sector 8
#3

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

19. ☒ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

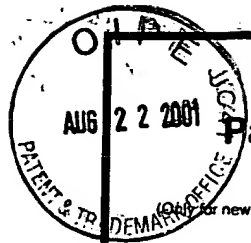


Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

19. CORRESPONDENCE ADDRESS

Name (Print/Type)		Alan W. Cannon		Registration No.		34,977	
Signature				Date		July 6 2001	
Firm Name		Bozicevic, Field & Francis LLP		Address		200 Middlefield Road, Suite 200	
City	Menlo Park	State	California	zip	94025		
Telephone - Direct Dial		(650) 833-7715		Fax		650-327-3231	



Utility
Patent Application
Transmittal

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket Number	GUIDE 2CON
First Named Inventor	Lawrence W. Hu et al.
Title	A Surgical Retractor Platform Blade Apparatus
Express Mail Label No.	EL 923483748 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification (preferred arrangement set forth below) Total Pages **68**
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claims(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) Total Sheets **34**
5. Oath or Declaration Total Pages **2**
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☒ Application Data Sheet, See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-Rom or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & documents(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: **09/305,811**
Prior Application Information: Examiner **Hirsch, P.** Group Art Unit: **3732**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

Fee Calculation

CLAIMS AS FILED

For	#Filed	# Allowed	#Extra	Rate	Fee
Total Claims	19	20	0	x	\$0.00
Indep. Claims	2	3	0	x	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
TOTAL CLAIM FEES					\$710.00
BASIC FILING FEE					
OTHER FEE (specify purpose) _____					
TOTAL					\$710.00

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0815. If additional fees are required, including extensions of time, please consider this a petition therefore. A duplicate copy of this sheet is enclosed.

DOCKETED

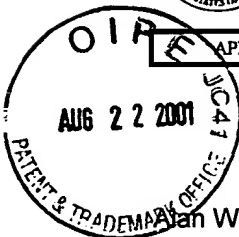
filed 7/6/2001
IDS 10/6/2001

S805-3/01
To 10/31/02



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/900,503	07/06/2001	Lawrence W. Hu	GUID012CON

CONFIRMATION NO. 5237

FORMALITIES LETTER



OC000000006398186

Van W. Cannon
Bozicevic, Field and Francis LLP
Suite 200
200 Middlefield Road
Menlo Park, CA 94025

Date Mailed: 08/08/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

COMDTEC: EYU1 0000004 500815 09900503

51 70-101 710.00 CH
51 70-102 130.00 CH